

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI**

JENNA MAULLER)	
Plaintiff,)	
v.)	Case No.
HEARTLAND AUTOMOTIVE)	
SERVICES, INC. D/B/A)	
JIFFY LUBE)	JURY TRIAL REQUESTED
)	
And)	
)	
RAPHAEL DORIETY,)	
)	
Defendants.)	

COMPLAINT

COMES NOW, Plaintiff Jenna Mauller (“Mauller”) and for her Complaint against Defendants Heartland Automotive Services, Inc. d/b/a Jiffy Lube (“Jiffy Lube”) and Raphael Doriety (“Doriety”) states as follows:

Parties

1. Mauller is a citizen of the State of Missouri who resides in this judicial district.
2. Jiffy Lube is a Minnesota corporation with its principal place of business in Texas doing business in this judicial district.
3. Doriety is a citizen of the State of Missouri and resides in this judicial district.

Jurisdiction and Venue

4. Jurisdiction of this Court is based on 28 U.S.C, § 1331, in that this action arises under Title VII of the Civil Rights Act.
5. Pendent jurisdiction under Missouri state law is asserted for claims of tort

damages against Defendants.

FACTS COMMON TO ALL COUNTS

6. Mauller was employed by Jiffy Lube.
7. Jiffy Lube has a location a 1755 North New Florissant Road, Florissant, Missouri 63033.
8. Doriety was a supervisor of Mauller at a Jiffy Lube location at the 1755 North New Florissant Road location.
9. This is an action for damages and to secure protection of and to redress deprivation of rights secured by Title VII.
10. This is also an action for the intentional torts of assault, battery and false imprisonment under §516.100 RS Mo.
11. Mauller was hired by Jiffy Lube in August 2015.
12. On or about August 25, 2015 Mauller was being trained by Doriety at the Jiffy Lube location at 1755 North New Florissant Road.
13. Mauller was working in the lower bay situated below where cars would pull in for inspection.
14. After making several sexually suggested comments to Mauller, Doriety grabbed Mauller's breasts.
15. Soon thereafter, Doriety asked Mauller to come to the office at the Jiffy Lube location.
16. While Doriety and Mauller were in the office Doriety closed the door to the office and locked it.
17. Doriety positioned himself between Mauller and the door.

18. Mauller asked Doriety if she could set up direct deposits for her paychecks.

19. Doriety responded: “Yes, but what can you do for me?”

20. Doriety told Mauller that she could get more hours than anyone else on the schedule and stated: “But what do I get for it?”

21. Doriety then moved toward Mauller and unzipped the fly of his pants and said: “I need some assistance.”

22. Mauller then asked Doriety to unlock the door, clocked out and did not return to work.

23. Mauller then immediately reported the incident to the Florissant Police.

COUNT I—DISCRIMINATION UNDER TITLE VII –JIFFY LUBE

24. Mauller incorporates paragraphs 1-23.

25. Mauller filed charges of discrimination against Jiffy Lube with the Equal Employment Opportunity Commission (EEOC) on or about October 24, 2015 complaining of the acts of sexual harassment and discrimination alleged herein, in which she checked “sex”. (attached as Exhibit A).

26. A Right to Sue Letter was received by Mauller on or about August 4, 2017 from EEOC (attached as Exhibit B).

27. Mauller filed the instant action within ninety (90) days of the date of the Notice of Right to Sue and within two (2) years of her termination.

28. Doriety’s actions while acting as a supervisor of Jiffy Lube constituted sexual harassment as defined by Title VII.

29. As a result of Defendants' conduct and actions, Mauller has suffered and will continue to suffer lost wages and other benefits of employment.

30. As a result of Defendants' conduct and actions, Mauller has suffered emotional distress and mental anguish.

31. As a result of Defendants' conduct and actions, Mauller has incurred and will continue to incur attorney's fees and costs of litigation.

WHEREFORE, Mauller prays for judgment against Jiffy Lube for:

- a. Back pay and lost benefits; front pay;
- b. Compensatory damages for his mental anguish, pain and suffering and other non-pecuniary losses;
- c. Punitive damages;
- d. Her attorney fees and the costs and expenses of this action;
- e. Such other relief as the Court deems just and equitable.

**COUNT II- INTENTIONAL TORTS-ASSAULT, BATTERY
AND FALSE IMPRISONMENT-JIFFY LUBE AND DORIETY**

32. Mauller incorporates by reference paragraphs 1-23.

33. Doriety assaulted and battered Mauller by grabbing her breasts.

34. Doriety falsely imprisoned Mauller by locking her in the office and positioning himself between Mauller and the door.

35. Doriety's advance to Mauller while in the locked office with his fly unzipped and asking Mauller for assistance was an assault.

36. Doriety's actions were intentional torts of assault, battery and false imprisonment under §516.100 RS Mo.

37. Defendants' conduct was outrageous because of Doriety's evil motive or reckless indifference to Mauller's right not to be battered and assaulted and imprisoned and is conduct for which punitive damages are warranted to deter Defendants and others from such future like conduct.

38. As a result of Doriety's unlawful actions directed toward her, Mauller suffered damages including mental anguish, pain and suffering and other non-pecuniary losses.

39. As a result of, Doriety's unlawful actions, Mauller has incurred and will continue to incur attorney's fees and costs of litigation.

WHEREFORE, Mauller prays for judgment against Defendants for:

- a. Compensatory damages for her mental anguish, pain and suffering and other non-pecuniary losses;
- b. Punitive damages;
- c. Her attorney fees and the costs and expenses of this action;
- d. Such other relief as the Court deems just and equitable.

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